

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

MDL No. 3076
Case No. 1:23-md-03076-KMM

**IN RE:
FTX Cryptocurrency Exchange Collapse Litigation**

This document relates to:

Promoters and Digital Creators

**PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE TO FILE UNDER SEAL
(1) FIRST AMENDED ADMINISTRATIVE CLASS ACTION COMPLAINT AND
DEMAND FOR JURY TRIAL AND (2) PLAINTIFFS' OPPOSITION TO THE
PROMOTER DEFENDANTS' MOTIONS TO DISMISS FOR FAILURE TO STATE A
CLAIM OR TO COMPEL ARBITRATION**

Plaintiffs, pursuant to Southern District of Florida Local Rule 5.4(b)(1), file this Unopposed Motion for Leave to File Under Seal the unredacted versions of (1) the First Amended Administrative Class Action Complaint and Demand for Jury Trial (the "Amended Complaint") and (2) Plaintiffs' Opposition to the Promoter Defendants' Motions to Dismiss for Failure to State a Claim or to Compel Arbitration (the "Opposition"). As grounds therefor, Plaintiffs state as follows:

1. Plaintiffs previously filed the Amended Complaint [ECF 908], dated May 28, 2025, and the Opposition [ECF 977], dated August 26, 2025 (collectively, the "Confidential Filings").
2. The Confidential Filings contain references to information that has been designated by a Defendant or Non-Party as Confidential under the Confidentiality and Protective Order entered by the Court on January 24, 2024 [ECF 483] (the "Order") or is subject to the Non-Disclosure Agreement entered into between the Plaintiffs and the FTX Consolidated Wind Down

Trust, which the Plaintiffs filed Notice of to the Court on February 19, 2025 [ECF 843] (the “NDA”) (collectively, the “Agreements”).

3. Therefore, for filing purposes, Plaintiffs redacted from the Confidential Filings the information the parties and/or non-parties designated as Confidential and that is covered by the Agreements. *See* S.D. Fla. L.R. 5.4(b)(1); S.D. Fla. CM/ECF Rule 9B.

4. The at-issue protected-as-Confidential information consists of communications between Defendants and FTX employees, contracts between Defendants and FTX, internal FTX communications, and contracts.

5. While the redactions are limited only to specifics of the documents, and most of the Confidential Filings were not redacted, Plaintiffs seek permission to file unredacted versions of the Confidential Filings under seal so that this Court is fully informed and has before it all relevant Confidential information.

6. The proposed duration of the requested sealing is for/until the later of (i) the designating party consenting to unsealing of the information designated as Confidential, or (ii) an unsealing of any of the information designated as Confidential pursuant to the terms of the Agreements.

7. Local Rule 5.4(b)(1) states that a party who wants to file documents and information under seal must file and serve electronically a motion seeking permission to file under seal. Such a motion must set forth the factual and legal basis for the requested sealing and describe with as much particularity as possible the documents and information to be sealed. *See* S.D. Fla. L.R. 5.4(b)(1).

8. Where, as here, a party files a motion and other legal documents that need to include references to protected confidential information and those filings are the subject of a Local Rule

5.4(b)(1) motion to file under seal, all of the content sought to be filed under seal must be redacted until the Court has an opportunity to rule on the motion to seal. *See* S.D. Fla. L.R. 5.4(b)(1); S.D. Fla. CM/ECF Rule 9B.

9. Plaintiffs' instant Motion to Seal and the redacted Confidential Filings are all in full compliance with Local Rule 5.4(b)(1) and CM/ECF Rule 9B.

10. A Proposed Order accompanies this Motion as **Exhibit A**.

S.D. Fla. L.R. 7.1 Certification

Plaintiffs' counsel certifies that they have conferred in good faith with Defendants' counsel in a good faith effort to resolve the issues raised in this motion and represent that Defendants do not oppose the relief sought in this motion.

Dated: August 29, 2025

Respectfully submitted,

<u>Plaintiffs' Co-Lead Counsel</u>	
	<p>By: <u>/s/ Adam Moskowitz</u> Adam M. Moskowitz Florida Bar No. 984280 Joseph M. Kaye Florida Bar No. 117520 THE MOSKOWITZ LAW FIRM, PLLC 8883 S.W. 131 Street Miami, FL 33176 Mailing Address: P.O. Box 653409 Miami, FL 33175Office: (305) 740-1423 adam@moskowitz-law.com joseph@moskowitz-law.com service@moskowitz-law.com</p>

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the forgoing was filed on August 29, 2025, with the Court via CM/ECF system, which will send notification of such filing to all attorneys of record

By: /s/ Adam M. Moskowitz

Adam M. Moskowitz
Florida Bar No. 984280